

### **REMARKS**

Claims 1-11 are pending and await further action on the merits.

### **Interview**

Applicants note with appreciation that the Examiner has conducted a personal Interview with Applicants' representative, Garth M. Dahlen, Ph.D., Esq. (#43,575) on February 8, 2008. The Examiner was very helpful in clarifying the outstanding issues.

As noted on the Interview Summary form, the Examiner has agreed to withdraw the single remaining prior art rejection over Pasquier et al., WO 99/37701 (hereinafter WO '701) based on the comments made during the Interview by Dr. Dahlen.

The comments made during the Interview are reiterated below. The Examiner is respectfully requested to formally withdraw the rejection and allow the case to go to issue.

### **Issues under 35 U.S.C. § 103(a)**

Claims 1-11 are rejected under 35 U.S.C. § 103(a) as obvious over WO '701. Applicants respectfully traverse the rejection.

Applicants respectfully submit that WO '701 fails to teach or fairly suggest the inventive *polymerizable composition* which comprises the combination of a cycloolefin monomer (A), a polymer (C) having a carboxyl group or a carboxylic anhydride group and having an acid value in the range of 0.1 to 100 mgKOH/g, and a metathesis polymerization catalyst (D).

In the Official Action, the Examiner alleges that WO '701 teaches: a polymeric composition comprising a polymer P2 obtaining by ring opening of a cycloolefin monomer in the presence of a metathesis polymerization catalyst; and the polymeric composition further comprises copolymers of maleic anhydride with styrene. It is noted that P2 is a polymer obtained by cross-linking a polymer (P1) prepared by ring opening of a cycloolefin monomer in the presence of a metathesis polymerization catalyst.

However, it is only after the P1 and P2 polymers have been polymerized, when WO '701 adds the copolymer of maleic anhydride with styrene (which the Examiner equates with inventive polymer (C). In other words, WO '701 does not polymerize the cycloolefin monomer in the presence of the copolymer of maleic anhydride with styrene.

On the other hand, the polymerizable composition according to claim 1 of the present invention comprises: a cycloolefin monomer (A) which is not ring-opening polymerized; and a metathesis polymerization catalyst (D). In general, the term "polymer composition" denotes a composition which has been polymerized already, and the term "polymerizable composition" denotes a composition which has not yet been polymerized. Accordingly, the "polymeric composition" disclosed in WO '701 is a composition which has been polymerized and cross-linked, and which should have been named as the "polymer composition" by its nature. In contrast, the composition recited in claim 1 of the present application is the "polymerizable composition" which is not yet polymerized. In this respect, the "polymerizable composition" of claim 1 is different from the "polymeric composition" of WO '701. As noted during the Interview, the Examiner now agrees that this is a distinctive difference between the present invention and the teachings of WO '017.

Further, concerning the description about the copolymers of maleic anhydride with styrene, WO '701 only discloses that the above-mentioned P2 can be used as a colorant of the copolymers. Thus, the description does not disclose the polymerization of the cycloolefin monomers in the presence of the copolymers. From these facts, it is apparent that disclosure of WO '701 is different from the polymerizable composition according to claim 1 of the present invention.

As described above, WO '701 does not disclose the polymerizable composition, molded product nor cross linked resin molded product according to the present invention. Moreover, these are not obvious from the disclosure of WO '701. Therefore, the rejection of claims 1-11 of the present application under 35 U.S.C. 103(a) is not tenable and withdrawal of the rejection is respectfully requested.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Conclusion

In view of the above remarks, it is believed that claims are allowable.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Garth M. Dahlen, Ph.D., Esq., Reg. No. 43,575 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

By  #43575

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